

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE AEGEAN MARINE)
PETROLEUM NETWORK, INC.) Case No. 1:18-cv-04993 (NRB)
SECURITIES LITIGATION)
) Hon. Naomi Reice Buchwald
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NOTICE OF LEAD PLAINTIFF'S MOTION FOR:

**(I) FINAL APPROVAL OF PROPOSED PARTIAL CLASS ACTION
SETTLEMENTS WITH PRICEWATERHOUSECOOPERS AUDITING
COMPANY S.A. AND DELOITTE CERTIFIED PUBLIC ACCOUNTANTS, S.A.;**
(II) FINAL CERTIFICATION OF SETTLEMENT CLASS; AND
(III) FINAL APPROVAL OF THE PROPOSED PLAN OF ALLOCATION

PLEASE TAKE NOTICE that Lead Plaintiff Utah Retirement Systems (“Lead Plaintiff”), on behalf of itself and the proposed Settlement Class,¹ hereby moves this Court before the Honorable Naomi Reice Buchwald, for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure:

- (a) granting final approval of the Partial Settlements with PricewaterhouseCoopers Auditing Company S.A. (“PwC Greece”) and Deloitte Certified Public Accountants, S.A. (“Deloitte Greece”);
- (b) granting certification of the Settlement Class;
- (c) granting approval of the Plan of Allocation;
- (d) appointing Lead Plaintiff as Class Representative and Lead Counsel as Class Counsel for purposes of the Partial Settlements only; and
- (e) granting such other and further relief as the Court deems just and proper (the “Motion”).

¹ All capitalized terms not otherwise defined herein have the same meaning as in the Notice of (I) Pendency of Class Action and Proposed Partial Settlements; and (II) Final Approval Hearing For The Partial Settlements, Plans of Allocation, Motion For Approval of Attorneys' Fees and Reimbursement of Litigation Expenses and Application For The Establishment of a Litigation Expense Fund (the “Omnibus Notice”) (ECF No. 359-1).

The proposed Partial Settlements would resolve and release claims against PwC Greece and Deloitte Greece (the “Settling Defendants”), and release claims against the four defendants who were initially named in the action but had been dismissed by order dated March 29, 2021 (ECF No. 293) (namely PricewaterhouseCoopers International Limited (“PwCIL”), PricewaterhouseCoopers LLP (“PwC US”), Deloitte & Touche LLP (“Deloitte US”) and Deloitte Touche Tohmatsu Limited (“DTTL”)) and other Released Parties defined in the settlement agreements.

These proposed Partial Settlements do not release claims against defendants Dimitris Melissanidis and Spyros Gianniotis (the “Non-Settling Defendants”), or any Dismissed Defendants other than PwCIL, PwC US, Deloitte US and DTTL.

PwC Greece and Deloitte Greece each support the relief requested and will not oppose this motion.

PLEASE TAKE FURTHER NOTICE that in support of the Motion, Lead Plaintiff submits and is filing herewith:

- (A) Memorandum of Law in Support of Lead Plaintiff’s Unopposed Motion For: (I) Final Approval of Proposed Partial Class Action Settlements With PricewaterhouseCoopers Auditing Company S.A. and Deloitte Certified Public Accountants, S.A.; (II) Final Certification of Settlement Class; and (III) Final Approval of The Proposed Plan of Allocation;
- (B) Declaration of Nicole Lavallee in Support of (A) Lead Plaintiff’s Motion For: (I) Final Approval of The Proposed Partial Class Action Settlements With PricewaterhouseCoopers Auditing Company S.A. and Deloitte Certified Public Accountants, S.A.; (II) Final Certification of The Settlement Class; and (III) Final Approval of The Proposed Plans of Allocation; and (B) Lead Counsel’s Motion For Attorneys’ Fees and Reimbursement of Litigation Expenses and Establishment of a Litigation Expense Fund;
- (C) [Proposed] Final Judgment and Order of Dismissal With Prejudice Regarding PwC Greece;
- (D) [Proposed] Final Judgment and Order of Dismissal With Prejudice Regarding Deloitte Greece; and
- (E) [Proposed] Order Approving Plans of Allocation.

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Dated: August 9, 2022

Respectfully submitted,

BERMAN TABACCO

By: /s/ Nicole Lavallee
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